

E-filing

FILED

APR 10 2006

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

LAWRENCE O'SULLIVAN,

No. C 05-4207 WHA (PR)

Plaintiff,

**GRANT OF IN FORMA PAUPERIS
STATUS**

v.

(Docs 2 & 4)

CITY AND COUNTY OF SAN
FRANCISCO,

Defendant.

Plaintiff's application for permission to proceed in forma pauperis (doc 4) is **GRANTED**.

His earlier motion (doc 2) is **DENIED** as moot. The total filing fee that ultimately will be due is \$ 250.00. In view of plaintiff's income and account balance over the last six months, plaintiff shall pay an initial partial filing fee of \$ 30.00 within thirty days of the date this order is entered (the date the clerk has stamped above). See 28 U.S.C. 1915(b)(1). Funds for the remainder of the filing fee will be taken from income to plaintiff's account in accordance with 28 U.S.C. § 1915(b)(2). A copy of this order and the attached instructions will be sent to the plaintiff, the prison's trust account office, and the court's financial office.

IT IS SO ORDERED.

Dated: April 10, 2006.

WWS

WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE

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5 **UNITED STATES DISTRICT COURT**
6 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**

7 **INSTRUCTIONS FOR PAYMENT OF PRISONER'S FILING FEE**

8 The prisoner shown as the plaintiff or petitioner on the attached order has filed a civil action in
9 forma pauperis in this court and owes to the court a filing fee. Pursuant to 28 U.S.C. § 1915, the
fee is to be paid as follows:

10 The initial partial filing fee listed on the attached order should be deducted by the prison
11 trust account office from the prisoner's trust account and forwarded to the clerk of the court
12 as the first installment payment on the filing fee. This amount is twenty percent of the
13 greater of (a) the average monthly deposits to the prisoner's account for the 6-month period
immediately preceding the filing of the complaint/petition or (b) the average monthly
balance in the prisoner's account for the 6-month period immediately preceding the filing
of the complaint/petition.

14 Thereafter, on a monthly basis, 20 percent of the preceding month's income credited to the
15 prisoner's trust account should be deducted and forwarded to the court each time the
amount in the account exceeds ten dollars (\$10.00). The prison trust account office should
continue to do this until the filing fee has been paid in full.

16 If the prisoner does not have sufficient funds in his/her account to pay the initial partial filing fee,
17 the prison trust account office should forward the available funds, and carry the balance forward
each month until the amount is fully paid.

18 If the prisoner has filed more than one complaint, (s)he is required to pay a filing fee for each case.
19 The trust account office should make the monthly calculations and payments for each case in
20 which it receives an order granting in forma pauperis and these instructions.

21 **The prisoner's name and case number must be noted on each remittance.** The initial partial
filing fee is due within thirty days of the date of the attached order. Checks should be made
payable to Clerk, U.S. District Court and sent to Prisoner Accounts Receivable, U.S. District
Court, 450 Golden Gate Avenue, Box 36060, San Francisco, CA 94102.

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23 cc: Plaintiff/Petitioner
24 Finance Office
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